

**Notice of Allowability**

Application No.

09/697,110

Applicant(s)

ISHII, MAKOTO

Examiner

Taghi T. Arani

Art Unit

2131

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/17/2006.
2. ☒ The allowed claim(s) is/are 1,3,4,7-13,15,16 and 19-24.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

Taghi T. Arani  
Primary Examiner  
3/29/06

### **DETAILED ACTION**

1. The text of those sections of Title 35 U.S. Code not included in this section can be found in the prior office action.
2. The prior office actions are incorporated herein by reference. In particular, the observations with respect to claim language, and response to previously presented arguments.
3. Claims 2, 5-6, 14, 17-18 have been cancelled.
4. Claims 4, 12-13, 16, and 24 have been amended.
5. Claims 1, 3-4, 7-13, 15-16, and 19-24, now re-numbered as claims 1-18 are pending.

### **EXAMINER'S AMENDMENT**

6. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Dennis M. Smid, Esq. on 03/129/2006. Claims 4, 12, 13, 16, and 24 have been replaced with:

Claim 4. (Currently Amended) The data receiving method according to Claim 3, wherein the step of ~~determining~~ using includes determining whether decoding has been performed meeting the predetermined standard in real time for each packet of the extracted data.

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Claim 12. (Currently Amended) The data receiving method according to Claim 1, further comprising the step of outputting only data treated as ~~have~~ having been decoded to meet the predetermined standard.

Claim 13. (Currently Amended) A data receiving unit,  
comprising:

receiving means for receiving signals;

converting means for converting signals received by said receiving means into digital signal data;

data extracting means for extracting required data from among said digital signal data obtained by said converting means to form extracted data, wherein said digital signal data includes a program for execution by a computer;

decoding-key-setting means for setting a decoding key required for decoding the extracted data;

decoding means for decoding the extracted data by using the decoding key set by said decoding-key-setting means to form decoded data;

a receiver terminal employing a self-diagnosis function for examining the decoded data decoded by said decoding means based on a predetermined standard including a matching of a decoding diagnostic code added to the required data during transmission and encrypted using the ~~predetermined~~ decoding key with a predetermined constant; and

deletion means for deleting data determined by said receiver terminal examination means as ~~have~~ having not been decoded to meet the predetermined standard, wherein the decoded data that is not deleted is supplied to the computer.

Claim 16. (currently amended) The data receiving unit according to Claim 15, wherein said receiver terminal examination means examines whether each packet of the extracted data has been decoded to meet the predetermined standard.

Claim 24. (Currently Amended) The data receiving unit according to Claim 13, further comprising output means for outputting only data treated by said receiver terminal examination means as ~~have~~ having been decoded to meet the predetermined standard.

#### **Response to Arguments**

7. Applicant's arguments filed 01/17/2006 have been fully considered and they are persuasive.

#### **Allowable Subject Matter**

8. Claims 1, 3-4, 7-13, 15-16, and 19-24 are allowed over prior art of record..

#### **Examiner's Statement of Reasons for Allowance**

9. The following is an examiner's statement of reasons for allowance:

Newly amended independent claims 1 and 13 are allowed in view of the amendment and for reasons argued by applicant in pages 8-11 of the Remarks, filed 01/17/2006, and dependent claims 3-4, 7-12, 15-16, and 19-24 depend upon one of the above-mentioned allowed claims and are therefore allowed by virtue of their dependencies.

Any comments considered necessary by applicant must be submitted no later than payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### **Conclusion**

10. Prior arts made of record, not relied upon:

US patent 5,787,171 to Kubota et al. is directed to a data transmitter capable of preventing illegal free reception of transmitted data by scrambling the same, and a data receiver adapted to descramble the received data properly despite any alteration of a scramble program.

US patent 5,848,162 to Tsumura, Tomoki discloses a data acquiring apparatus wherein data is subject to using enciphering processing different for every user.

EP 0 877 499 A2 is directed to a data broadcast receiver for use with a computer.

WO 97/26730 discloses a secure satellite receive-only local area network with address filter.

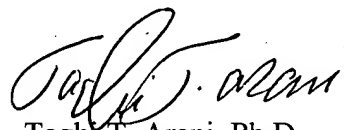
JP 03211980 A is directed to a two-system sound multiplex reception circuit.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Taghi T. Arani whose telephone number is (571) 272-3787. The examiner can normally be reached on 8:00-5:30 Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Taghi T. Arani, Ph.D.

Primary Examiner

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3/29/2006